

Handling

Salvage and Distressed Pet Food

It's the Law...

Containers of salvage and distressed pet food must be labeled as animal feed.

Salvage and distressed pet foods that contain or may contain mammalian protein must be labeled "DO NOT FEED TO CATTLE OR OTHER RUMINANTS"...and record keeping is required.

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Resource Contact Information

Food and Drug Administration
1-888-INFO-FDA (1-888-463-6332)
www.fda.gov

FDA Center for Veterinary Medicine
www.fda.gov/cvm

Association of American Feed
Control Officials
www.aaeco.org

National Association of State
Departments of Agriculture
www.nasda.org

Pet Food Institute
www.petfoodinstitute.org

National Renderers Association
www.renderers.org

National Grain and Feed Association
www.ngfa.org

American Veterinary Medical Association
www.avma.org

American Feed Industry Association
www.afia.org

Introduction

There has never been a case of BSE found in the United States. However, to be certain that the human and animal food supply is safe, the U.S. Food and Drug Administration requires certain labeling and handling procedures for salvage and distressed pet food. This pamphlet outlines recommended procedures for handling these materials.

It is required that salvage and distressed pet food products not sold at retail but intended for other animal feed bear a listing of ingredients. Also, those pet foods that contain or may contain mammalian proteins must carry a precautionary label and be handled according to strict procedures.

These requirements have been put in place as an additional layer of protection to prevent the introduction of BSE (bovine spongiform encephalopathy) or "mad cow" disease in the United States.

By implementing these protocols, companies will contribute to the ongoing effort to keep the United States free of BSE. It is suggested that all employees in the feed production, distribution and retail sectors be made aware of their responsibilities to ensure facilities are compliant with the law.

Salvage and Distressed Pet Food

Salvage pet food is defined as product that is still under the control of the original manufacturer and will not be offered for sale at retail. Examples of salvage pet food are start-up and over-run product, unpelleted pet food, pet food fines, and other products not suitable for packaging for retail sale.

Salvage pet food to be sold as animal feed must be accompanied by a label listing ingredients; guaranteed analysis for crude protein, crude fat and crude fiber; and all other label requirements for animal feed.

In addition, if the salvage pet food contains or may contain protein derived from mammalian tissue, the precautionary statement "Do not feed to cattle or other ruminants" must be affixed to the package. Records of the salvage sales must be kept and be made available for government inspection.

...

Distressed pet food is defined as product in distribution or at retail that is no longer available for retail sale. Examples of distressed pet food include product in dented cans, torn bags or product past its sell-by date. These products are also referred to in distribution channels as "unsalables".

Like salvage pet food, distressed product intended for animal feed must include a label listing ingredients; guaranteed analysis for crude protein, crude fat and crude fiber; and other label requirements for animal feed. Also, if distressed products contain or may contain mammalian material that is prohibited from use in feed for ruminant animals, the precautionary

statement “Do not feed to cattle or other ruminants” is required. Record keeping is also required.

...

Salvage and distressed pet food repackaged for pet food must meet all pet food labeling and ingredient requirements as listed in the current Association of American Feed Control Officials (AAFCO) Official Publication.

...

Any distributor of salvage and distressed pet food that will be used as any type of animal feed becomes the guarantor of that feed and is fully responsible for accurate labeling, including ingredient lists, guaranteed analyses, and all other label information required by law.

HANDLING PROCEDURES

All handlers of salvage and distressed pet food such as:

- manufacturers
- distributors
- retailers
- dealers
- consolidators
- brokers
- others

Have obligations under federal law regarding:

- labeling
- record keeping
- policy and procedures

Labeling

- Salvage or distressed product to be used as pet food must meet pet food labeling requirements.
- Product to be used as animal feed must be labeled with an ingredient panel in accordance with AAFCO rules (see page 13-16).
- All product to be used for other than pet food that contains mammalian protein (see page 17) must be labeled “Do Not Feed to Cattle or Other Ruminants.”
- Each container (bag or can) should be labeled.
- If the product is consolidated on a single pallet or bin, a single label may be used.
- Labels should be affixed by sufficient means to remain in place during shipping and handling.
- The precautionary label must be prominently displayed

Record Keeping (for restricted product)

- The identity, amount, date and destination of all restricted product must be recorded at transfer.
- All invoices should state "Do Not Feed to Cattle or Other Ruminants."
- A "Buyers Acknowledgement" should be signed.
- The seller's contact information and the buyer's contact information must be recorded at transfer.
- Records must be kept for a minimum of one year.
- Records must be available for inspection.
- For products to be returned, computer generated invoices may be used.
- For product to be donated, all restrictions apply. Acknowledgement letters should be signed.
- For product to be destroyed, landfill or incineration should be used.

Policy and Procedures

- Written procedures are required by law and must be available for inspection.

BUYER ACKNOWLEDGEMENT OF PET FOOD RESTRICTIONS

U.S. Food and Drug Administration (FDA) regulations specify that protein derived from mammalian tissues is not to be used in ruminant feed.

Ruminants are animals with multi-chambered stomachs, such as cows, sheep, goats, deer, elk, and buffalo. Dogs, cats, and other animals that have similar digestive systems to humans are not ruminant animals.

The following products were purchased

_____,
(description)
on _____.
(date)

The undersigned understands the feeding of these products to cattle or other ruminant animals is expressly prohibited by federal regulation. The undersigned will take appropriate measures to assure that if this product is conveyed to another party, the receiving party is made aware of this prohibition. All containers of the product now bear the label "Do not feed to cattle or other ruminants."

Signature: _____

Printed Name: _____

Company Name: _____

Address: _____

Telephone: _____

SAMPLE DONATED PET FOOD LETTER

Dear Friend:

We are pleased to donate pet food to your organization.

We would like to take this opportunity to clarify the appropriate use of complete and balanced pet foods and advise you of a federal regulation that prohibits the feeding of some pet foods to certain types of animals.

There are generally two types of pet foods available. The first is a complete and balanced pet food, which is designed to provide all the nutrition required by a healthy cat or dog. If fed to an animal other than the species for which it is formulated, some nutritional needs may not be completely met. Basically, cat food is designed for cats and dog food is designed for dogs.

The second type of pet food is a snack or treat. These products are generally not designed to provide a pet with complete and balanced nutrition and should be fed in conjunction with a complete and balanced pet food.

It is also important to note that federal law places restrictions on the use of pet foods as part of a program to prevent the introduction of BSE or "mad cow" disease into this country. The U.S. Food and Drug Administration prohibits the use of pet food containing protein from mammalian tissue in feed for cattle or other ruminants (for example, sheep, deer, goats and elk).

It is required by regulation that animal feed containing this type of protein be labeled "Do not feed to cattle or other ruminants." This label must remain with the product until it is consumed.

Please be assured that these products are safe and wholesome for cats and dogs. This is part of a federal program to prevent mammalian protein from being fed to cattle and other ruminants.

We ask you to please take a moment to complete and return the attached form that states you understand the federal regulation and will not feed these products to cattle or other ruminants.

Thank you.

**EXAMPLES OF PET FOOD
INGREDIENTS PROHIBITED FROM USE
IN RUMINANT FEED**

**Pet Food Products Containing Any of
the Following Ingredients Must Be
Labeled “Do Not Feed to Cattle or
Other Ruminants”:**

- Meat (mammalian tissue e.g. beef, lamb, and pork)
- Meat By-products
- Meat Meal
- Meat and Bone Meal
- Animal Digest
- Cooked Bone Marrow
- Bone Meal, cooked
- Bone Meal, steamed
- Stock (e.g. beef stock)

All of these ingredients are allowed for use in pet food and are examples of ingredients prohibited in feed for ruminant animals.

**Not sure if a pet food ingredient is
prohibited in ruminant animal feed?**

**When in doubt,
label all salvage and distressed pet food
products**

**“Do Not Feed to Cattle or
Other Ruminants.”**

**MATERIALS ALLOWED FOR USE IN
RUMINANT FEED**

The Following Protein Products Derived From
Mammals Are Exempt From The Regulation:

- Blood and Blood Products
- Gelatin
- Milk products (Milk and Milk protein)
- Pure porcine (pork) or pure equine (horse) protein
- Inspected meat products, such as plate waste, which have been cooked and offered for human food and further heat processed for animal feed.

The Following Non-mammalian Protein
Products Are Exempt:

- Poultry
- Marine (fish)
- Vegetable

The Following Are Also Exempt Because
They Are Not Protein Tissue:

- Grease
- Fat
- Amino acids
- Tallow
- Oil
- Dicalcium phosphate

ANIMAL FEED LABEL REQUIREMENTS

Excerpts from AAFCO Model Bill

Material distributed for animal feed must be labeled with ingredients, guarantees, and, if needed, the ruminant feeding ban statement "Do Not Feed to Cattle or Other Ruminants." The AAFCO requirements apply in most states.

Official Publication – AAFCO MODEL BILL Section 3. Definitions of words and terms.

(d) The term "commercial feed" means all materials or combinations of materials which are distributed or intended for distribution for use as feed or for mixing in feed, unless such materials are specifically exempted.

(e) The term "feed ingredient" means each of the constituent materials making up a commercial feed.

(l) The term "label" means a display of written, printed, or graphic matter upon or affixed to the container in which a commercial feed is distributed, or on the invoice or delivery slip with which a commercial feed is distributed.

Section 5. Labeling.

A commercial feed shall be labeled as follows

(a) In the case of a commercial feed, except a customer formula feed, it shall be accompanied by a label bearing the following information.

(1) The quantity statement

(2) The product name and brand name, if any, under which the commercial feed is distributed.

(3) The guaranteed analysis stated in such terms as the [state official] by regulation determines is required to advise the user.

(4) The common or usual name of each ingredient used in the commercial feed: Provided, that the [state official] by regulation may permit the use of a collective term.

(5) The name and principal mailing address of the manufacturer or person responsible for distributing the commercial feed.

(6) Adequate directions for use of all commercial feeds containing drugs and for such other feeds as the [state official] may require by regulation for their safe and effective use.

(7) Such precautionary statements as the [state official] by regulation determines are necessary for the safe and effective use of the commercial feed.

Section 6. Misbranding

A commercial feed shall be determined to be misbranded:

(a) if its labeling is false or misleading in any particular.

(b) If it is distributed under the name of another commercial feed.

(c) If it is not labeled as required in Section 5 of this act.

(d) If it purports to be or is represented as a commercial feed or if it purports to contain or is represented as containing a commercial feed ingredient, unless such commercial feed or feed ingredient conforms to the definition, if any, prescribed by regulation by the [state official].

(e) If any word, statement, or other information required by or under authority of this Act to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

Section 8. Prohibited Acts

The following acts and the causing thereof within the State of ____ are hereby prohibited.

(a) The manufacture or distribution of any commercial feed that is adulterated or misbranded.

(b) The adulteration or misbranding of any commercial feed.

Section 11. Inspection, Sampling and Analysis (page 82)...

(e) For the enforcement of this Act, the [state official] or his duly designated agent is authorized to enter upon any public or private premises including any vehicle of transport during regular business hours to have access to, and obtain samples, and to examine records relating to distribution of commercial feeds.

Official Publication – AAFCO MODEL LABEL REGULATIONS

Regulation 2. Label Format (page 85)

(a) Commercial feed, other than customer-formula feed, shall be labeled with the information prescribed in this regulation on the principle display panel of the product and in the following format.

(1) Product name and brand name, if any, as stipulated in Regulation 3(a)(1).

(2) If a drug is used, label as stipulated In Regulation 3(a)(2).

(3) Purpose statement as stipulated in Regulation 3(a)(3).

(4) Guaranteed analysis as stipulated in Regulation 3(a)(4).

(5) Feed ingredients as stipulated in Regulation 3(a)(5)

(6) Directions for use and precautionary statements as stipulated in Regulation 3(a)(6)

(7) Name and principal mailing address of the manufacturer or person responsible for distributing the feed as stipulated in Regulation 3(a)(7)..

(8) Quantity statement.

Collective terms may be used for ingredients where appropriate.

**PET FOOD LABELING AS REQUIRED BY
AAFCO APPLIES TO SALVAGE AND
DISTRESSED PET FOOD TO BE USED
FOR PET FOOD**

PROTEINS PROHIBITED IN RUMINANT FEED

Excerpts From FDA Regulation (21 Code of Federal Regulations 589.2000: Animal proteins prohibited in ruminant feed)

(2) Written procedures required by this section shall be made available for inspection and copying by the Food and Drug Administration.

(a) Definitions--(1) Protein derived from mammalian tissues means any protein-containing portion of mammalian animals, excluding: Blood and blood products; gelatin; inspected meat products which have been cooked and offered for human food and further heat processed for feed (such as plate waste and used cellulosic food casings); milk products (milk and milk proteins); and any product whose only mammalian protein consists entirely of porcine or equine protein.

(c)(i) Label the materials as follows: ``Do not feed to cattle or other ruminants''; and (ii) Maintain records sufficient to track the materials throughout their receipt, processing, and distribution, and make the copies available for inspection and copying by the Food and Drug Administration. [emphasis added]

(4) Pet food products that are sold or are intended for sale at retail and feeds for nonruminant laboratory animals are exempt from the labeling requirements in paragraphs (c) and (d) of this section. However, if the pet food products or feeds for nonruminant laboratory animals are sold or are intended for sale as distressed or salvage items, then such products shall be labeled in accordance with paragraph (c) or (d) of this section, as appropriate.

(h)(1) Records that are to be made available for inspection and copying, as required by this section, shall be kept for a minimum of 1 year.

ORDER FORM

Handling

Salvage and Distressed

Pet Food

Please send _____ copies of the PFI
pamphlet *Handling Salvage and Distressed
Pet Food* to:

Name: _____

Company: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Please allow four weeks for delivery.

Pet Food Institute
2025 M Street, NW, Suite 800
Washington, DC 20036

(202) 367-1120
Fax: (202) 367-2120
pfi@dc.sba.com

**Model Label for
Precautionary Statement**

**DO NOT FEED
TO CATTLE
OR OTHER
RUMINANTS**

For additional copies of this pamphlet or questions about procedures, please contact the Pet Food Institute.



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